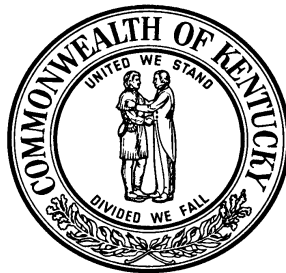


**REPORT OF THE AUDIT OF THE
FORMER BALLARD COUNTY
SHERIFF'S SETTLEMENT - 2014 TAXES**

**For The Period
April 17, 2014 Through January 04, 2015**



**MIKE HARMON
AUDITOR OF PUBLIC ACCOUNTS
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EXECUTIVE SUMMARY

**AUDIT OF THE
FORMER BALLARD COUNTY
SHERIFF'S SETTLEMENT - 2014 TAXES**

**For The Period
April 17, 2014 Through January 04, 2015**

The Auditor of Public Accounts has completed the audit of the Sheriff's Settlement - 2014 Taxes for the former Ballard County Sheriff for the period April 17, 2014 through January 04, 2015. We have issued an unmodified opinion on the financial statement taken as a whole. Based upon the audit work performed, the financial statement is presented fairly in all material respects.

Financial Condition:

The former Sheriff collected 2014 taxes of \$4,380,702 for the districts, retaining commissions of \$171,232 to operate the former Sheriff's office. The former Sheriff distributed 2014 taxes of \$4,242,152 to the districts. Refunds of \$35,581 are due to the former Sheriff from the taxing districts.

Report Comments:

2014-001 The Former Ballard County Sheriff Did Not Complete His 2014 Tax Settlement By March 15th
2014-002 The Former Ballard County Sheriff's Office Lacked Adequate Segregation Of Duties

Deposits:

The former Sheriff's deposits were insured and collateralized by bank securities.

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MIKE HARMON
AUDITOR OF PUBLIC ACCOUNTS

To the People of Kentucky

Honorable Matthew G. Bevin, Governor
William M. Landrum III, Secretary
Finance and Administration Cabinet
Honorable Vickie Viniard, Ballard County Judge/Executive
Honorable Todd Cooper, Former Ballard County Sheriff
Honorable Carey Batts, Ballard County Sheriff
Members of the Ballard County Fiscal Court

Independent Auditor's Report

Report on the Financial Statement

We have audited the former Ballard County Sheriff's Settlement - 2014 Taxes for the period April 17, 2014 through January 04, 2015 - regulatory basis, and the related notes to the financial statement.

Management's Responsibility for the Financial Statement

Management is responsible for the preparation and fair presentation of the financial statement in accordance with accounting practices prescribed or permitted by the laws of Kentucky to demonstrate compliance with the Commonwealth of Kentucky's regulatory basis of accounting as described in Note 1. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of a financial statement that is free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial statement based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for Sheriff's Tax Settlements issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statement. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statement, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statement in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statement. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.



To the People of Kentucky

Honorable Matthew G. Bevin, Governor
William M. Landrum III, Secretary
Finance and Administration Cabinet
Honorable Vickie Viniard, Ballard County Judge/Executive
Honorable Todd Cooper, Former Ballard County Sheriff
Honorable Carey Batts, Ballard County Sheriff
Members of the Ballard County Fiscal Court

Basis for Adverse Opinion on U.S. Generally Accepted Accounting Principles

As described in Note 1 of the financial statement, the financial statement is prepared by the County Sheriff on the basis of the accounting practices prescribed or permitted by the laws of Kentucky to demonstrate compliance with the Commonwealth of Kentucky's regulatory basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America.

The effects on the financial statement of the variances between the regulatory basis of accounting described in Note 1 and accounting principles generally accepted in the United States of America, although not reasonably determinable, are presumed to be material.

Adverse Opinion on U.S. Generally Accepted Accounting Principles

In our opinion, because of the significance of the matter discussed in the Basis for Adverse Opinion on U.S. Generally Accepted Accounting Principles paragraph, the financial statement referred to above does not present fairly, in accordance with accounting principles generally accepted in the United States of America, the financial position of each fund of the former County Sheriff, as of January 04, 2015, or changes in financial position or cash flows thereof for the year then ended.

Opinion on Regulatory Basis of Accounting

In our opinion, the financial statement referred to above presents fairly, in all material respects, the taxes charged, credited, and paid for the period April 17, 2014 through January 04, 2015 of the former Ballard County Sheriff, in accordance with the basis of accounting practices prescribed or permitted by the Commonwealth of Kentucky as described in Note 1.

Other Reporting Required by Government Auditing Standards

In accordance with Government Auditing Standards, we have also issued our report dated October 23, 2015 on our consideration of the former Ballard County Sheriff's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the former Ballard County Sheriff's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the former Ballard County Sheriff's internal control over financial reporting and compliance.

To the People of Kentucky

Honorable Matthew G. Bevin, Governor

William M. Landrum III, Secretary

Finance and Administration Cabinet

Honorable Vickie Viniard, Ballard County Judge/Executive

Honorable Todd Cooper, Former Ballard County Sheriff

Honorable Carey Batts, Ballard County Sheriff

Members of the Ballard County Fiscal Court

Other Reporting Required by Government Auditing Standards (Continued)

Based on the results of our audit, we have presented the accompanying comments and recommendations, included herein, which discusses the following report comments:

- 2014-001 The Former Ballard County Sheriff Did Not Complete His 2014 Tax Settlement By March 15th
2014-002 The Former Ballard County Sheriff's Office Lacked Adequate Segregation Of Duties

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mike Harmon", with a stylized flourish at the end.

Mike Harmon

Auditor of Public Accounts

October 23, 2015

BALLARD COUNTY
TODD COOPER, FORMER SHERIFF
SHERIFF'S SETTLEMENT - 2014 TAXES

For The Period April 17, 2014 Through January 04, 2015

<u>Charges</u>	<u>County Taxes</u>	<u>Special Taxing Districts</u>	<u>School Taxes</u>	<u>State Taxes</u>
Real Estate	\$ 748,718	\$ 301,303	\$ 1,961,108	\$ 463,673
Tangible Personal Property	110,075	31,974	270,471	405,994
Fire Protection	684			
Franchise Taxes	104,380	33,098	261,779	
Additional Billings	18,834	5,471	46,278	39,976
Bank Franchises	23,557			
Adjusted to Sheriff's Receipt	2	1		
Gross Chargeable to Sheriff	<u>1,006,250</u>	<u>371,847</u>	<u>2,539,636</u>	<u>909,643</u>
<u>Credits</u>				
Exonerations	16,805	5,169	41,781	28,611
Discounts	13,447	5,064	34,172	14,888
Transfer to Incoming Sheriff	56,624	22,258	148,193	35,607
Franchise Taxes	<u>6,313</u>	<u>1,988</u>	<u>15,754</u>	
Total Credits	<u>93,189</u>	<u>34,479</u>	<u>239,900</u>	<u>79,106</u>
Taxes Collected	913,061	337,368	2,299,736	830,537
Less: Commissions *	<u>38,805</u>	<u>14,338</u>	<u>82,791</u>	<u>35,298</u>
Taxes Due	874,256	323,030	2,216,945	795,239
Taxes Paid	883,303	325,552	2,238,447	794,850
Refunds (Current and Prior Year)	<u>627</u>	<u>242</u>	<u>1,641</u>	<u>389</u>
(Refunds Due Sheriff) as of Completion of Audit	<u>\$ (9,674)</u>	<u>\$ (2,764)</u>	<u>\$ (23,143)</u>	<u>\$ 0</u>

**

* Commissions:

4.25% on \$ 2,080,966
3.6% on \$ 2,299,736

** Special Taxing Districts:

Health District \$ (1,382)
Extension District (1,382)

(Refunds Due Sheriff) \$ (2,764)

The accompanying notes are an integral part of this financial statement.

BALLARD COUNTY
NOTES TO FINANCIAL STATEMENT

January 04, 2015

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

The Sheriff's office tax collection duties are limited to acting as an agent for assessed property owners and taxing districts. A fund is used to account for the collection and distribution of taxes. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

B. Basis of Accounting

The financial statement has been prepared on a regulatory basis of accounting, which demonstrates compliance with the laws of Kentucky and is a special purpose framework. Basis of accounting refers to when charges, credits, and taxes paid are reported in the settlement statement. It relates to the timing of measurements regardless of the measurement focus.

Charges are sources of revenue which are recognized in the tax period in which they become available and measurable. Credits are reductions of revenue which are recognized when there is proper authorization. Taxes paid are uses of revenue which are recognized when distributions are made to the taxing districts and others.

C. Cash and Investments

KRS 66.480 authorizes the Sheriff's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

Note 2. Deposits

The former Ballard County Sheriff maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC) as required by KRS 66.480(1)(d). According to KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the Sheriff and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution.

Custodial Credit Risk - Deposits

Custodial credit risk is the risk that in the event of a depository institution failure, the Sheriff's deposits may not be returned. The former Ballard County Sheriff did not have a deposit policy for custodial credit risk but rather followed the requirements of KRS 41.240(4). As of January 04, 2015, all deposits were covered by FDIC insurance or a properly executed collateral security agreement.

BALLARD COUNTY
NOTES TO FINANCIAL STATEMENT
January 04, 2015
(Continued)

Note 3. Tax Collection Period

The real and personal property tax assessments were levied as of January 01, 2014. Property taxes were billed to finance governmental services for the fiscal year ended June 30, 2015. Liens are effective when the tax bills become delinquent. The collection period for these assessments was September 29, 2014 through January 04, 2015.

Note 4. Interest Income

The former Ballard County Sheriff earned \$42 as interest income on 2014 taxes. The former Sheriff distributed the appropriate amount to the school district as required by statute, and the remainder was used to operate the former Sheriff's office.

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND
ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF THE FINANCIAL
STATEMENT PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS



MIKE HARMON
AUDITOR OF PUBLIC ACCOUNTS

The Honorable Vickie Viniard, Ballard County Judge/Executive
Honorable Todd Cooper, Former Ballard County Sheriff
Honorable Carey Batts, Ballard County Sheriff
Members of the Ballard County Fiscal Court

**Report On Internal Control Over Financial Reporting And On
Compliance And Other Matters Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards**

Independent Auditor's Report

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, the former Ballard County Sheriff's Settlement - 2014 Taxes for the period April 17, 2014 through January 04, 2015 - regulatory basis and the related notes to the financial statement and have issued our report thereon dated October 23, 2015. The former Sheriff's financial statement is prepared on a regulatory basis of accounting, which demonstrates compliance with the laws of Kentucky and is a special purpose framework.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statement, we considered the former Ballard County Sheriff's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statement, but not for the purpose of expressing an opinion on the effectiveness of the former Ballard County Sheriff's internal control. Accordingly, we do not express an opinion on the effectiveness of the former Ballard County Sheriff's internal control over financial reporting.

Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control over financial reporting that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. However, as described in the accompanying comments and recommendations, we identified a certain deficiency in internal control that we consider to be a material weakness.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statement will not be prevented, or detected and corrected on a timely basis. We consider the deficiency described in the accompanying comments and recommendations as item 2014-002 to be a material weakness.



Report On Internal Control Over Financial Reporting And On
Compliance And Other Matters Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards
(Continued)

Compliance And Other Matters

As part of obtaining reasonable assurance about whether the former Ballard County Sheriff's financial statement is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed an instance of noncompliance or other matters that is required to be reported under Government Auditing Standards and which is described in the accompanying comments and recommendations as item 2014-001.

Former Sheriff's Response to Finding

The former Ballard County Sheriff's response to the finding identified in our audit is described in the accompanying comments and recommendations. The former Sheriff's response was not subjected to the auditing procedures applied in the audit of the financial statement and, accordingly, we express no opinion on it.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mike Harmon", with a stylized flourish at the end.

Mike Harmon
Auditor of Public Accounts

October 23, 2015

COMMENTS AND RECOMMENDATIONS

BALLARD COUNTY
TODD COOPER, FORMER SHERIFF
COMMENTS AND RECOMMENDATIONS

For The Period April 17, 2014 Through January 04, 2015

STATE LAWS AND REGULATIONS:

2014-001 The Former Ballard County Sheriff Did Not Complete His 2014 Tax Settlement By March 15th

The former Ballard County Sheriff did not complete his 2014 tax settlement by March 15th due to a lack of oversight on the part of the former Sheriff. As a result, the former Sheriff's 2014 tax settlement was not presented to fiscal court for approval as required by KRS 134.215(3). KRS 134.215(3) states, "Each outgoing sheriff shall make a final settlement with the department, the fiscal court, and all districts for which his or her office collected taxes by March 15 immediately following the expiration of his or her term of office. The settlement shall address all charges of taxes made against the sheriff and all money received by him or her as sheriff, and shall include all of the information required for the annual settlement pursuant to KRS 134.192..." Auditors recommend that the former Ballard County Sheriff prepare his 2014 tax settlement and present it to fiscal court for approval.

Former Sheriff's Response: I was told by tax mgr that it was complete + had been presented to the F/Court. It was oversight on my part.

INTERNAL CONTROL - MATERIAL WEAKNESS:

2014-002 The Former Ballard County Sheriff's Office Lacked Adequate Segregation Of Duties

The former Ballard County Sheriff's office had a lack of adequate segregation of duties. Due to a limited number of staff and the diversity of operations, the bookkeeper was required to perform multiple tasks such as the collection of cash from customers, bookkeeping, bank reconciliations, the preparation of monthly reports, and the preparation of checks for disbursements.

A lack of segregation of duties or strong oversight increases the risk that fraud or errors could occur and not be detected. This condition was the result of a limited budget, which restricted the number of employees the Sheriff could hire or delegate duties to.

Segregation of duties over these tasks, or the implementation of compensating controls when limited by staff, is essential for providing protection from asset misappropriation and helping prevent inaccurate financial reporting. Additionally, proper segregation of duties protects employees in the normal course of performing their daily responsibilities.

To adequately protect against the misappropriation of assets, the former Sheriff should have segregated the duties noted above by allowing different deputies to perform these functions. For those duties that could not be segregated due to a limited number of staff, then strong oversight should have been provided to the employee or employees responsible for those duties. This oversight should have included the former Sheriff, or a designee, reviewing the daily collection report and comparing it to the daily deposit. It should have also included reviewing the monthly tax reports and comparing them to the monthly bank reconciliations and tax distributions. Documentation, such as the former Sheriff's or designee's initials or signature, should have been provided on those items that had been reviewed.

Former Sheriff's Response: The Sheriff did not respond.

